

UNITED STATES DISTRICT COURT
for the
District of Massachusetts

United States of America)
v.)
EMIL KAUFMAN)
)
)
)
)
)

Case No. 13 MJ 3067

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 22, 2012, to June 26, 2013 in the county of Berkshire in the
District of Massachusetts, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 USC 2252(a)(2)	receipt of child pornography

This criminal complaint is based on these facts:

See attached affidavit of Special Agent Christopher Evans.

Continued on the attached sheet.

Complainant's signature

Special Agent Christopher Evans

Printed name and title

Sworn to before me and signed in my presence.

Date: 06/26/2013

Judge's signature

City and state: Springfield, MA

Kenneth P. Neiman, United States Magistrate Judge

Printed name and title

Affidavit

I, Christopher Evans, state as follows:

1. I am a Special Agent of the Department of Homeland Security, Immigration and Customs Enforcement, Homeland Security Investigations (“HSI”) and have been so employed since August 2008. I am currently assigned to the Resident Agent in Charge Office in Springfield, Massachusetts. On June 26, 2013, I arrested the defendant, Emil Kaufman, at 16 Partridge Way, Stockbridge, MA. I submit this affidavit in support of an application for a complaint charging Mr. Kaufman with the receipt of child pornography using a means of interstate commerce in violation of 18 U.S.C. § 2252(a)(2).

Background of Investigation

2. On October 22, 2012, HSI Special Agent Patrick McCall accessed the Giga Tribe P2P network to identify individuals who were receiving, possessing, and distributing child pornography. Special Agent McCall identified user “koolkidlime1991” as sharing files from numerous password protected folders entitled “Boy and Girl,” “Girls,” “Jerking:cum,” “Kelly,” “PeeShower:Play,” “Play:Suck:Sex,” “Rape:Spank,” “Spongebob,” and “Toys:Animation.”
3. On October 22, 2012, at approximately 1:22 PM EST, Special Agent McCall, selected 12 video files of child pornography and began to download these files directly from user “koolkidlime1991.” During the download of these files, the IP address of user “koolkidlime1991” was identified as 67.240.63.250.
4. According to the American Registry for Internet Numbers (“ARIN”) online database, IP address 67.240.63.250 is registered to the ISP Time Warner / Roadrunner Cable.

5. On October 24, 2012, a United States Immigration and Customs Enforcement summons was served on Time Warner Cable, Inc., requesting subscriber information for the subscriber of IP Address 67.240.63.250 during the time of the downloads.
6. On October 31, 2012, Time Warner Cable, Inc. provided information concerning the subscriber of IP address 67.240.63.250 on the date and times specified in the subpoena. The physical address of the IP address was located at 16 Partridge Way, Stockbridge, MA.
7. On November 18, 2012, I conducted surveillance at the Subject Premises and observed a vehicle parked in the driveway bearing New York registration EWN6272. A check of New York motor vehicle registration indicated that the vehicle was registered to Mr. Kaufman's father in New York.
8. On November 19, 2012, I reviewed a copy of the following files which were downloaded from user "koolkidlime1991" by Special Agent McCall on October 22, 2012:
 - a. Title: [MB]!!!!NEW!!!!Little devon 10yo cum in father's mouth -HOT!!!.avi
Description: This is a color video file with sound. The video shows an apparent adult male performing oral sex on a naked adolescent male, who is approximately 9-11 years of age, while he lies on a bed. This video is approximately 1 minute and 20 seconds in length.
 - b. Title: Bibcam – boy13 wank and cum.avi
Description: This is a color video file without sound. The video shows an adolescent male approximately 11-13 years of age sitting on a couch naked while masturbating. The video zooms in on the adolescent male's penis to show the ejaculation. This video is approximately 40 seconds in length.

9. On May 30, 2013, I conducted surveillance at 16 Partridge Way, Stockbridge, MA 01262 and observed a vehicle parked in the driveway bearing New York registration EMILSMV. A check of New York motor vehicle registration indicated that the vehicle was registered to Mr. Kaufman's father in New York.
10. On June 17, 2013, HSI Special Agent McCall accessed the Giga Tribe Peer to Peer file sharing network and observed that "koolkidlime1991" was sharing files from those folders previously identified during the October 22, 2012 download along with folders entitled "NEW," "Newer," and "SS."
11. On June 17, 2013, between approximately 2:22 PM EST and 2:50 PM EST, Special Agent McCall selected 10 video files of child pornography from user "koolkidlime1991" and successfully downloaded these files. During the download of these files, the IP address of user "koolkidlime1991" was identified as 67.248.14.143.
12. An online query of IP address 67.248.14.143 revealed that it was registered to the Internet Service Provider Time Warner Cable. In response to a grand jury subpoena, Time Warner confirmed that his IP address was located at 16 Partridge Way, Stockbridge, MA.
13. On June 17, 2013, at approximately 1548 hours, I conducted surveillance at the Subject Premises and observed a vehicle parked in the driveway bearing New York registration EMILSMV.
14. On June 21, 2013, I reviewed a copy of the following files which were downloaded from user "koolkidlime1991" by Special Agent McCall on June 17, 2013:
 - a. Title: mega cute cum 13yok.mov
Description: This is a color video file with sound. The video shows an adolescent male approximately 13 years of age sitting naked on a chair while masturbating. The video concludes with the adolescent male ejaculating into what appears to be a napkin. This video is approximately 34 seconds in length.

b. Title: 10yo_masturb(4).wmv

Description: This is a color video file with sound. The video shows an adolescent male approximately 10-12 years of age. The adolescent male is standing with his pants pulled down and his shirt lifted, exposing his penis. The adolescent male is masturbating and appears to ejaculate on the floor. This video is approximately 51 seconds in length.

Execution of Search Warrant and Arrest

15. On June 25, 2013, I obtained a federal warrant to search the premises at 16 Partridge Way, Stockbridge, MA, for evidence related to violations of the federal child exploitation laws.
16. I executed the search warrant on June 26, 2013. The defendant, Emil Kaufman, was present at 16 Partridge Way during the execution of the search warrant. I informed Mr. Kaufman:
 - a. I would like to speak with him,
 - b. he was not required to speak with me, and
 - c. he was free to leave the premises.
17. Mr. Kaufman agreed to speak with me and admitted that he had downloaded child pornography from the internet onto his computer, which was at the residence. Mr. Kaufman stated that he was the sole user of the computer.
18. According to HSI Special Agent Ryan Mahar, during the execution of the warrant, a preliminary examination of Mr. Kaufman's computer showed that the computer's files included three videos containing child pornography. The videos were contained in a folder with the address:
/users/koolkidlime96/documents/gigatribe.

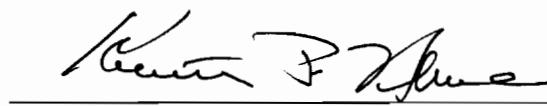
19. A very similar name, "koolkidlime1991" is a name associated with the defendant. Giga Tribe is a computer file sharing program that Mr. Kaufman told me he used in relation to the transfer of child pornography to and from the internet.

Sworn under the penalties of perjury,



Homeland Security Investigations
Special Agent Christopher Evans

Subscribed and sworn to before me on June 26, 2013.



Kenneth P. Neiman
United States Magistrate Judge